

Section by Section: The Student Athlete Fairness and Enforcement Act

Section 2: Definitions

Defines key terms in the bill. “Student athlete” means a matriculated student at a college or university who participates in a varsity intercollegiate sport managed by the school. The term “endorsement contract” has the same meaning provided in section 2 of the Sports Agent Responsibility and Trust Act (15 U.S.C. 7801).

Section 101: Name, Image, and Likeness (NIL) Rights and Protections

Prohibits the NCAA, conferences and schools from restricting the ability of student athletes to earn NIL, have an agent, or receive payment from a third party for reasonable college-related expenses. Prohibits reductions in an athlete’s grant-in-aid or athletic opportunities because of the athlete’s NIL compensation.

Permits schools or athletic associations to enter into NIL contracts and revenue sharing agreements with athletes. Schools, collectives, and third parties must obtain agreement from each member of a group, prior to using the group’s NIL to sell or promote a product.

Permits schools to prohibit student athletes’ NIL endorsement activities only during mandatory team activities. Schools must notify athletes of any rules governing NIL contracts. Athletes may not use the school’s facilities, apparel, equipment, uniforms, or intellectual property for NIL activities without permission.

Requires NIL deals with collectives to be for a valid business purpose related to the promotion or endorsement of goods or services provided to the general public for profit, with compensation at rates and terms commensurate with compensation paid to individuals with name, image, and likeness rights of comparable value who are not student athletes or prospective student athletes with respect to such institution.

Section 102: NIL Reporting

Requires Division 1 athletes to report endorsement contracts over \$600 to their institutions, or a reporting entity designated by the school. Requires schools to report annually to the NCAA on athletics expenditures, academic outcomes for athletes, and endorsement contract statistics disaggregated by sport program (broken down by men’s and women’s programs). Requires collectives to report their information and relationship with schools and athletic programs to the relevant athletic association governing those schools.

Section 103: NIL Endorsement Contract Requirements and Protections

Requires NIL endorsement contracts to be in writing; state a right to representation by a certified agent or legal representative; state the name of the parties; state a description of services rendered and the terms; state the amount of compensation; and not be for a term that extends beyond collegiate eligibility. Contracts that do not comply with these requirements are void at the election of the student athlete.

Student athletes who are no longer eligible to compete may rescind endorsement contracts with terms of a year or more without being a breach and with no obligation to return compensation already paid.

Establishes privacy protections for NIL contracts to ensure they are not disclosed without the athlete's consent and not subject to federal or state open records laws.

Section 104: Student Athlete Sports Agent Reform

Amends the Sports Agent Responsibility and Trust Act (15 U.S.C. 7801 et seq.) to require State registration of agents. Prohibits agents from representing student athletes without a written agent contract. Requires that agent contracts must include the agent's registration information and the fee charged by the agent. Caps agent fees at 5 percent of the value of an endorsement contract. Requires the NCAA to maintain a publicly searchable agent database. Prohibits agents from providing false or deceptive statements in their registration application, from enticing student athletes to enroll or transfer by misrepresenting NIL opportunities, and from entering into agency contracts that extend beyond an athlete's intercollegiate availability. Gives student athletes a private right of action to enforce the Sports Agent Responsibility and Trust Act.

Section 105: Financial Literacy and Life Skills Protections

Schools may offer a financial and contract literacy program to athletes. Such programs may not include any marketing, advertising, referral, or solicitation offers.

Section 201: Transfer Protections

Permits student athletes to transfer from one school to another twice, without losing or delaying eligibility; and additional transfers without losing or delaying eligibility upon mutual agreement, discontinuation of a sport, or material underinvestment in a sport impacting the athlete.

Section 202: Professional Draft Protections

Schools, athletic departments, conferences, athletic associations, or any representative thereof may not punish an athlete who enters a professional draft and does not receive compensation from a professional league and declares their intent to resume collegiate participation not later than seven days after the draft.

Section 301: Student Athlete Safety Standards

Requires schools to follow existing standards to prevent, assess, and treat serious injuries and conditions affecting athletes, including brain injuries, heat-related illness, asthma, rhabdomyolysis, and sickle cell trait.

Requires schools to designate independent health and safety officers who report directly to the head of an institution or their designee. These officers will oversee the implementation of the safety standards and be responsible for reporting any suspected violations.

Requires schools to prevent, assess, and remediate abuse of athletes, hazing, sexual assault, sexual misconduct, and sexual harassment.

Section 302: Independence of Medical Professionals

Requires medical personnel, including trainers, physical therapists, and physicians, to have autonomous, unchallengeable authority to make decisions for college athletes. Prohibits non-medical personnel from influencing the decisions of medical personnel.

Section 303: Provisions of Certain Health Care Benefits for Expenses Related to Participation in a Varsity Intercollegiate Sport

Requires Division 1 institutions directly or through their athletic association or conference to cover the cost of out-of-pocket medical expenses for athletes for any injury or disease incurred through varsity intercollegiate athletics; the cost of obtaining a second opinion for any injury or disease incurred through their participation in athletics; the cost of catastrophic injury coverage; and an end-of-college physical examination for the purpose of documenting and diagnosing any injury or condition.

Requires schools to provide at least 5 years of post-eligibility coverage for any injury incurred through participation in intercollegiate athletics either directly or through an athletic association or conference. An athletic association must establish a fund to cover the cost of providing post-eligibility coverage for a school with under \$20 million in athletics revenues as well as costs associated with significant long-term medical conditions for individual athletes related to their participation in intercollegiate athletics.

Requires schools to notify student athletes of mental health services on campus on an annual basis.

Section 401: Student Athlete Scholarship Protections

Schools shall not reduce or withdraw athletes' grants-in-aid, including because of athletic performance, an injury or illness, or roster management decisions, with exceptions if an athlete does not meet established policies for participation in athletics, is not academically eligible, does not meet the school's code of conduct for all students, or transfers to another institution.

Requires schools to honor scholarships for ten years for former student athletes who received athletic grant-in-aid while enrolled, did not complete their undergraduate degree, and spent their last year of eligibility at the school.

Section 402: Limitation on Influence or Retaliation for Coursework

Prohibits athletic departments from influencing an athlete's selection of a course or major, retaliating against a student athlete because of the athlete's choice of major or coursework, or interfering with an athlete's decision to seek employment, student group activities, and volunteer opportunities.

Section 501: Nondiscriminatory Access to Facilities, Services, and Events

Prohibits an athletic association or conference from discriminating on the basis of sex with regard to the provision of medical care, rest, hotel stays, food, athletic facilities, transportation, and sporting event promotions.

Section 601: F Visas and Employment Authorization for International College Athletes

Amends the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) to permit international college athletes to earn NIL revenue.

Section 701: Purpose

The purpose of Title VII is to provide additional revenue for institutions to fund all sports, including Olympic sports and women's sports, and to discourage institutions from raising tuition or fees on the students.

Section 702: Authority for Jersey or Uniform Patches

Prohibits an association or conference from prohibiting sponsorship jersey patches on uniforms in any sport, provided that any institution deriving revenues from jersey patches preserves roster spots and scholarships for student athletes in non-revenue generating and women's sports at levels comparable with the 2023-2024 year.

Section 801: Office of the Athlete Ombuds

Requires any athletic association to establish an Office of Athlete Ombuds to support student athletes. The Office shall provide independent information and advice to student athletes about the Act; assist students in the resolution of concerns regarding an association, conference, or school; and provide independent third-party resources to athletes, including information about athlete advocacy groups. All communications with the Office are confidential subject to exceptions such as a subpoena or imminent risk of serious harm to an athlete.

Section 901: Purpose

States that the purpose of Title IX is to fund all sports, including Olympic sports and women's sports, and to discourage institutions from raising tuition or fees on the students.

Section 902: Definitions

Defines key terms in Title IX.

Section 903: Expansion of Sports Broadcasting Act of 1961 to College Sports

Amends the Sports Broadcasting Act of 1961 to exempt from the antitrust laws, any joint agreement by an association of schools consisting of (1) at least all Football Bowl Subdivision institutions, or, in the alternative, at least each of the 136 highest earning institutions, or (2) any other group of institutions other than those in (1), to pool media rights if the association agrees to distribute revenues in accordance with the requirements under Section 904.

Section 904: Committee on Intercollegiate Sports Media Rights

Requires the establishment of a committee at an athletic association with authority to market and negotiate the collective media rights of institutions, and to distribute revenues to Division 1 institutions. Division 1 presidents shall select the members of the committee, which shall consist of 14 members including 2 current or former student athletes; 4 representatives of the 70 highest earning institutions; 1 representative of a historically Black college or university; 3 representatives of the non-70 highest earning institutions; 1 Title IX expert; 1 non-revenue generating sport representative; 1 representative of a non-football institution; and 1 consumer advocate.

The Committee shall vote on how to distribute media revenues, and must ensure that at least all Division 1 institutions receive more revenue than the school received in the 2024-25 academic year and are able to support the same number of scholarships and roster spots for non-revenue generating and women's sports as provided during the 2023-24 academic year. Schools shall use the expanded revenue to preserve scholarships and roster spots for non-revenue generating and women's sports at levels provided during the 2023-2024 academic year.

The Committee must post revenues distributed to each institution on its website 30 days after such distributions.

Section 905: Market Level Broadcast Access for College Football and Basketball

Requires any association taking advantage of the antitrust exemption in Section 903 to make available, on a non-exclusive basis, college football and basketball games to at least one local outlet in the market areas for the participating institutions.

Section 906: Streaming Rights Utilization Requirement for College Sports Other Than Football and Basketball

Permits a reversion of rights to an association or school for streaming content other than football and basketball if the rights holder does not make the content reasonably available to the public.

Section 907: Limitation on Renegotiation or Extension of Existing Media Rights Contracts

Prohibits media rights contracts in existence as of October 1, 2025, between conferences, schools, and networks from being renegotiated or extended before the contracts expire.

Section 1001: Commission Enforcement and Oversight

Provides that the Federal Trade Commission shall enforce Titles I, II, IV, and V or section 302 or 303 of the Act. Directs the Commission to report violations of title IX to the Office for Civil Rights of the Department of Education.

Section 1002: Enforcement by States

Provides that state attorneys general shall enforce Titles I, II, III, IV, and V of the Act. Requires notification prior to initiating an action to the Federal Trade Commission and allows the Commission to intervene.

Section 1003: Private Right of Action

Permits any person alleging a violation of section 101 or 103 of the Act to bring a civil action in state or federal court for damages or injunctive relief. Invalidates pre-dispute arbitration agreements and joint action waivers with respect to disputes related to the Act.

Section 1004: Whistleblower Protections

Provides protections for covered individuals, defined as current or former student athlete, or a current or former employee, contractor, subcontractor, service provider, or agent of an institution, conference or athletic association.

Section 1101: Authorization of Appropriations.

Authorizes sum necessary to carry out this Act.

Section 1102: Relationship to Existing Law

Preempts state laws that relate to the rights of athletes to receive NIL compensation or reasonable benefits from third parties, transfers, or caps on agent fees, as well as state laws in conflict with the Act.

Preserves common law rights and remedies. Preserves State laws related to consumer protection, antitrust, trademarks, and copyright. Preserves State laws related to restrictions on athlete NIL deals promoting alcohol, tobacco, vaping, marijuana, gambling, or similar products. Preserves state uniform athlete agent act laws. Provides that the Act may not be construed to override Federal trademark or copyright law.

Section 1103: Severability

Provides that if any provision of the Act is held invalid the remainder of the Act shall not be affected.